

**UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY**

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

WILFREDO TORRES
SENIOR DEPUTY CHIEF PROBATION OFFICER

DEPUTY CHIEF PROBATION OFFICER
THOMAS C. MILLER

May 12, 2011

SUPERVISION UNIT
20 WASHINGTON PLACE
6TH FLOOR
NEWARK, NJ 07102-3172
(973) 645-6161
FAX: (973) 645-2155

www.njp.uscourts.gov

The Honorable Stanley R. Chesler, U.S.D.J.
Martin Luther King, Jr. Federal Building and Courthouse
PO Box 0999
Newark, NJ 07102-0999

RE: United States vs. Jerome Andrew
Dkt. No.: 2:08-00209-001
Request for Modification of Conditions

Dear Judge Chesler:

On April 15, 2009, the above-referenced was sentenced by Your Honor to five years probation for being convicted of Conspiracy to Defraud the United States. The Court imposed drug testing conditions and ordered a \$100 special assessment.

Due to the offender's residence, he has been supervised by the Probation Office in Eastern District of New York. On January 3, 2011, the offender's conditions were modified to include sixty days home confinement for drug use. The purpose for this correspondence is to further notify the court that on February 23, 2011, the offender tested positive for cocaine. When confronted, the offender admitted to engaging in an intimate relationship with another individual who was using cocaine, however the offender denied use.

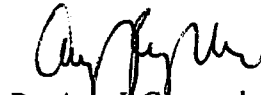
The offender continues to participate in treatment at Counseling Service for the Eastern District of New York, one of the Probation Office's contracted substance abuse treatment agencies. Andrew's treatment plan was amended to include on individual and two group treatment sessions per week. In addition, he is engaged in self help treatment.

In view of the above, we request that Andrew be sanctioned for this conduct and that the conditions of probation be modified to include an additional 30 days home confinement and the offender shall wear an electronic monitoring bracelet or similar tracking device. Please note that Andrew has agreed to the modification and has waived his right to a hearing.

Therefore, unless Your Honor considers otherwise, we ask that you review the enclosed documents and sign the Probation Form 12B authorizing the modification. We will make ourselves available should you wish to discuss the matter further.

Respectfully submitted,

WILFREDO TORRES, Chief
U.S. Probation Officer



By: Amy J. Capozzolo
U.S. Probation Officer

/ajc

Enclosures

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jerome Andrew

Cr.: 08-CR-209
PACTS Number: 42390

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler, U.S.D.J.

Date of Original Sentence: 4/15/09

Original Offense: Conspiracy to Defraud the United States

Original Sentence: Five Years Probation

Type of Supervision: Probation

Date Supervision Commenced: 4/15/09

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):


LOCATION MONITORING PROGRAM (30 days) (Payment NOT waived)

You are to participate in the Location Monitoring Program. You shall be confined to your residence for a period of 30 days commencing at the direction of the U.S. Probation Office. You shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. You shall wear a Location Monitoring device and follow all location monitoring procedures. You shall permit the Probation Officer access to the residence at all times and maintain a telephone at the residence without any custom services or portable, cordless equipment. You shall comply with any other specific conditions of home confinement as the Court may require. You shall pay all the costs associated with the Location Monitoring Device. The U.S. Probation Office may use less restrictive location monitoring technology if the U.S. Probation Office determines that a less restrictive device is available and appropriate.

CAUSE

On February 23, 2011, the offender submitted a urine sample which tested positive for cocaine.

Respectfully submitted,

By: 
Amy J. Capozzolo
U.S. Probation Officer

Date: 5/12/11

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer


Date

PROB 49
(NYEP-10/28/05)

United States District Court
DISTRICT OF NEW JERSEY

**Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

For a period of an additional 30 (thirty) days, the defendant shall remain in his or her home of record. The defendant is only authorized to leave for employment or other necessary activities with the approval, in advance, of the Probation Department. The home confinement period shall commence on a date approved by the Probation Department. While serving the period of home confinement, the defendant shall wear an electronic monitoring bracelet or similar tracking device and follow all requirements and procedures established for Home Confinement by the Probation Department and the Administrative Office of U.S. Courts. In addition, the defendant shall pay the costs of home confinement, including the price of electronic monitoring equipment, to the degree he or she is reasonably able. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay.

Witness:

Clare Fennell
U.S. Probation Officer

Signed:

[Signature]
Probationer or Supervised Releasee

4-5-11

Date